HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 13939 of 2007

Dated 09.07.2007

Between:

Mr. Suresh Kumar.

...Petitioner

and

K.Srinivas and others.

...Respondents

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 13939 of 2007

O R D E R:

The petitioner seeks a three-fold relief in relation to the transaction between himself and the first respondent. He claims to be the owner of premises bearing No.3-3-5/46/2 of Ramanthapur Village, Hyderabad. Initially, an agreement of sale, dated 17.02.2006, is said to have been executed in favour of the first respondent for a consideration of Rs.8,82,000/-. Advance of Rs.2,00,000/- was received by the petitioner. Subsequently, a sale deed was executed on 27.03.2006. Petitioner pleads that the entire consideration was not paid and the first respondent promised to clear the debts, that are due to M/s Ind Bank from the petitioner. It is complained that when the petitioner demanded payment of the balance of consideration, the first respondent did not accede to the request, and on the other hand, he had created fictitious documents, creating liability against the petitioner.

The three reliefs claimed in the writ petition are: (a) to direct respondents 2 and 3 to set aside the sale deed, dated 27.03.2006; (b) to pass an order requiring the first respondent to pay a sum of Rs.16,00,000/- as per present market value and Rs.10,00,000/- towards mental agony; and (c) to direct the 4th respondent to grant police protection.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

Even if there is any element of truth in what is pleaded by the petitioner, he has to work out his remedies by approaching a civil Court, be it, for cancellation of sale deed or for recovery of any amounts. Once the petitioner had executed a sale deed in favour of the first respondent, the question of granting the releifs, referred to above, that too by this Court, does not arise.

Hence, the writ petition is dismissed, leaving it open to the petitioner to work out his remedies in accordance with law. There shall be no order as to costs.

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09.07.2007

Note: Issue C.C. in three days.

(B/o)

JSU